

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

L.B. and M.B., on behalf of their minor child
A.B., and on behalf of similarly situated others;
L.B.; M.B., C.M. and A.H., on behalf of their
minor child J.M., and on behalf of similarly
situated others; C.M.; and A.H.,

Plaintiffs,

v.

PREMERA BLUE CROSS,

Defendant.

NO. 2:23-cv-00953-TSZ

PLAINTIFFS' MOTION FOR LEAVE
TO FILE RESPONSE TO THE
U.S. STATEMENT OF INTEREST
(DKT. NO. 179)

**Note on Motion Calendar:
August 7, 2025**

Plaintiffs respectfully request that the Court permit it to submit the attached Plaintiffs' Response to the U.S. Statement of Interest (Dkt. No. 179). Pursuant to the inherent authority of federal district courts to manage their dockets, *Dietz v. Bouldin*, 579 U.S. 40, 47 (2016), Fed. R. Civ. P. 7, LCR 7, and for good cause shown, this Motion should be granted.

The United States (the "Government") submitted its Statement of Interest in this matter to bolster Premera's supplemental briefing regarding *United States v. Skrmetti*, 145 S. Ct. 1816 (2025). It failed to move the Court for permission to submit its Statement of Interest, as is required. Fed. R. Civ. P. 7(b)(1); LCR 7; *see e.g., United States ex rel. Ricia Johnson & Health Dimensions Rehab. v. Golden Gate Nat'l Senior Care, LLC*, No. 08-cv-1194 (DWF/HB), 2016 U.S. Dist. LEXIS 196065, at *3 (D. Minn. June 1, 2016). Moreover, the Statement of Interest is incredibly

1 untimely. *See U.S. ex rel. Gudur v. Deloitte Consulting LLP*, 512 F. Supp. 2d 920, 928 (S.D. Tex.
2 2007). Should the Court be willing to consider the Government's Statement of Interest, despite its
3 failure to properly move for leave and its untimeliness, the Court should also consider Plaintiffs'
4 Response to the Government's Statement of Interest, attached as ***Exhibit A***.

5 DATED: July 24, 2025.

6 *I certify that the foregoing contains 213 words,*
7 *in compliance with the Local Civil Rules.*

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